

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MARCH 3, 2014
OFFICIAL MINUTES

The regular meeting of the City Council was called to order by Mayor Andersen at 5:00 P.M.

The Pledge of Allegiance to the flag was recited.

Roll Call showed the following members present: Mayor Andersen, Council Members Gumke, Kourajian, Brubakken and Buchanan, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs.

Casey Bradley, Stutsman County Auditor/Chief Operating Officer, appeared before the City Council to introduce Chad Jackson, the new Jail Administrator at the Stutsman County Correctional Center.

Council Member Gumke moved to approve the minutes of the regular council meeting, February 3, 2014, and minutes of the committee meetings, February 18 and 20, 2014. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

A bid was received for the sale of an impounded/abandoned vehicle (1996 Dodge Ram) from Larry Hanson.

Council Member Gumke moved to approve the following consent agenda items:

- A. Resolution to approve the request from the JSDC for Economic Development Funds, in the amount of \$343,000, to provide New Jobs Training Funds to Dakota Spirit Ag Energy, with the City Share to be \$308,700 and paid from the City Sales Tax Fund.
- B. Resolution to approve the request from the JSDC for Economic Development Funds, in the amount of \$11,000, to provide Flex PACE interest buy-down to Buchanan Ag, LLC, with the City Share to be \$2,200 and paid from the City Sales Tax Fund.
- C. Resolution to approve the Option to Purchase of Kal Patel on Lots 1 & 2, Block 3, I-94 Business Park Addition.
- D. Resolution to confirm the monthly compensation of the Mayor at \$1,600.00 and the monthly compensation of City Council Members at \$800.00, as approved in the 2014 City General Fund Budget.
- E. Resolution to approve the request from Lutheran Social Services Legacy Living to have LSS Property Management Group listed on the "housing" page of the City of Jamestown website, and to authorize the City Administrator to approve any similar requests.
- F. Resolution to authorize the City Attorney draft a liability contract and approve the request from the Relay for Life Committee to place a ribbon around the "World's Largest Buffalo" for a period of 30 days, with their Committee responsible for the placement and removal of same.
- G. Resolution to approve that the Jamestown Community Foundation is an organization benefiting the City or its citizen's health, safety or general welfare, and to authorize the foundation to serve as fiscal agent for the Jamestown Planting Partner Program.
- H. Resolution to recognize the Jamestown Ladies DU Chapter as an other public spirited organization and to authorize the issuance of a Charity Local Permit with the event to take place March 28, 29 & 30, 2014, at the Quality Inn (Banquet Rooms).

- I. Resolution to direct the City Attorney to prepare a draft agreement between the City and an interested group relative to the responsibility and care of a bus shelter to be located at 2nd Avenue / 3rd Street SW (Parking Lot).
- J. Resolution to approve the 2014 City of Jamestown Standard Specifications.
- K. Resolution to approve the recommendation of the City Engineer to hire an additional Operator position for the Water Treatment Plant and for the Wastewater Treatment Plant.
- L. Resolution to authorize the City Engineer to obtain bids for the replacement of a Roll-off Truck for the Sanitation Department.
- M. Resolution to approve the purchase request for a 20' flatbed trailer for the Street Department, from Sparks Trailers, at a cost of \$4,600.
- N. Resolution to deny the time extension request from Swanberg Construction, Inc., on the Wastewater Lift Station and Force Main Improvements Project, Phase 1, Lift Station Replacement, District 12-32, and to discuss liquidated damage penalties following the project completion.
- O. Resolution to approve Payment No. 1 (Inv No. 08387.00-1), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, in the amount of \$4,069.02.
- P. Resolution to approve Payment No. 1 (Inv No. 37231), to AE2S, for engineering services on the RTU Upgrade (LS5), in the amount of \$6,320.62.
- Q. Resolution to approve Payment No. 1 (Inv No. 37232), to AE2S, for engineering services on the RTU Upgrade (LS19), in the amount of \$4,000.67.
- R. Resolution to approve Payment No. 2 (Inv No. 37230), to AE2S, for engineering services on the RTU Squat Booster, in the amount of \$11,757.55.
- S. Resolution to approve Payment No. 3 (Inv. No. 5228384525R), to Energy Services Group, LLC., for the Jamestown Civic Center Energy Services Agreement, in the amount of \$37,135.00.
- T. Resolution to approve Payment No. 12 (Inv No. 37229), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$987.74.
- U. Resolution to approve Payment No. 9 (Inv No. 17109), to Interstate Engineering, Inc., for 2012 Lift Station and Sewer System Improvements, District 12-32, in the amount of \$10,979.06.
- V. Resolution to approve Payment No. 49 (Inv No. 17008), to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$225.00.
- W. Motion to accept the reports of the Municipal Judge, Police Department, Fire Department, Public Works Departments, Inspection Department, Forestry Department, Civic Center, Central Valley Health Unit, and financial status.
- X. Resolution to allow the February indebtedness in the amount of \$6,358,931.43 consisting of \$455,953.36 payroll and \$5,902,978.07 general obligations.

Seconded by Council Member Brubakken. Consent Roll Call No. 1 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve a change order for the color scheme from the Alternate Bid back to the Base Bid for the painting completion on the 2012 Water Tower & Water Distribution System Improvements, for a decrease in the contract price of \$25,000.00. Seconded by Council Member Kourajian.

Council Member Buchanan moved to amend the motion to include one (1) light color (TBD) with no lettering or logo at this time. Seconded by Council Member Kourajian.

Roll Call No. 2 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to table the request of Sellin Brothers claims relating to Otter Tail Power Co lines and CenturyLink Lines relative to the Sanitary Sewer Lift Replacement and Sanitary Sewer Mains Project. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Brubakken moved to table the request of Norm Aldinger for the City to direct Otter Tail Power Company to remove the structure at 113 12th Avenue NE based on language in the city franchise ordinance. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to award the bid for the sale of an impounded/abandoned 1996 Dodge, Ram (VIN 3B7HF13Z7TG173483) to Larry Hanson, in the amount of \$1,400.00. Seconded by Council Member Kourajian. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved to introduce the first reading of an ordinance that would allow for the issuance of a caterers license to dispense alcoholic beverages in non-public buildings.

Council Member Brubakken moved to introduce the first reading of an ordinance to amend and re-enact Section 2-19.1 of the City Code pertaining to administration.

Council Member Buchanan moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lot 8, Block 3, Buchholtz Fourth Addition, from R-1 (One-Family Residential District) to P-O-C (Public, Open Development & Conservation District).

Council Member Buchanan moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Plat C in the SW1/4 of Section 36, Twp. 140N, R64W, in the City of Jamestown, from R-1 (One-Family Residential District) to P-O-C (Public, Open Development & Conservation District).

Council Member Gumke moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of a four (4) acre tract of land in the NE ¼ of the SW1/4 of Section 2, Twp. 139N, R64W, from A-G (Agricultural District) to C-1 (Local Commercial District).

Council Member Gumke moved to introduce the first reading of an ordinance to annex of a tract located in the NE1/4 of the SW1/4 of Section 2, Township 139N, Range 64 W, containing 3.99 acres, more or less.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lots 10-14, Tahran's Addition, from R-1 (One-Family Residential District) to C-1 (Local Commercial District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1430, introduced by Council Member Buchanan, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lots 10-14, Tahran's Addition, from R-1 (One-Family Residential District) to C-1 (Local Commercial District), had its second reading. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to appoint Neil (Tex) Weatherly (member at large) and Lindsey Novak (NDSU member) to serve on the Shade Tree Committee for three (3) year terms to expire April 2017. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Kourajian moved to appoint Roger J. Parsons to serve as a member on the James River Valley Library System Board for a three (3) year term to expire March 2017. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint John Gletne (City employee) and Ramone Gumke (City Council) to serve as representatives on the Pension Committee for a one (1) year term to expire March 2015. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Consensus of the City Council was to schedule the next committee meetings on March 18th and 20th.

Council Member Gumke moved a Resolution to consider recognizing the Curtis Diede Benefit as an other public spirited organization and to authorize the issuance of a Charity Local Permit with the event to take place March 27, 2014, at the Quality Inn & Suites (Banquet Rooms). Seconded by Council Member Brubakken. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the following for the St. Patrick's Day Run, on March 15, 2014:

- 1) Request for street closings and/or permits to allow alcoholic beverages in fenced areas for the following businesses: Buffalo Lanes, Inc.; Buffalo City Rotisserie Grill; Corner Bar; Cork and Barrel, Inc.(Elk's location); Frontier Fort & Grill; Knights of Columbus; Los Molcajetes Mexican Restaurant, Office Bar & Lounge; Shady's; Vets Club; Wonder Bar Sports Bar;
- 2) To deny the request to close the City parking lot adjacent to 1st Street East/100 Block;
- 3) And that any other revisions concerning this event would be subject to City Staff approval.

Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to grant a temporary taxicab license to Jerry Iverson Construction on March 15, 2014, for the "Running of the Green" to raise funds for Relay for Life and Camp Grassik. Seconded by Council Member Buchanan. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to grant the request from the JSDC for Economic Development Funds, in the amount of \$1,935,000.00, to cover the cost of purchasing a 320 acre parcel of real estate in Spiritwood Township from David Klose, with the City Share to be \$1,741,500.00 and paid from the City Sales Tax Fund. Seconded by Council Member Buchanan. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to authorize advertising for bids for Improvements to Water Distribution Pumping Facilities for the GRE process water supply at the Spiritwood Energy Park. Seconded by Council Member Kourajian. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to approve a Resolution of Finding of Necessity with Respect to Urban Renewal. Seconded by Council Member Brubakken. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to approve a Resolution Adopting General Development Plan for the City of Jamestown. Seconded by Council Member Kourajian. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance regarding temporary housing, also known as "Crew Camps".

Council Member Brubakken moved to approve Resolutions to authorize the submission of grant applications for Section 5311 and State Aid to Public Transit funding on behalf of Jamestown Taxi Service and committing the local share of funds necessary. Seconded by Council Member Gumke. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to adjourn. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
KATIE ANDERSEN, Mayor